

**ACTION:** Final rule; Extension of effective date.

**SUMMARY:** RSPA is extending the effective date of a final rule published on February 28, 1989, under Docket No. HM-201B, from June 1, 1989 to September 1, 1989. This action is necessary to allow RSPA and the Federal Railroad Administration (FRA) time to review several petitions for reconsideration which were received in response to the final rule.

**EFFECTIVE DATE:** September 1, 1989. However, compliance with the final rule is authorized as of March 30, 1989.

**FOR FURTHER INFORMATION CONTACT:** Marilyn E. Morris, Standards Division, Office of Hazardous Materials, U.S. Department of Transportation, Exemptions and Regulations Termination Branch, 400 Seventh Street, SW., Washington, DC, 20590, (202) 368-4488.

**SUPPLEMENTARY INFORMATION:** On February 28, 1989, RSPA published a final rule (Docket No. HM-201B; Amdt. No. 173-208; 54 FR 8336) concerning the use of tank cars which have localized reductions in shell thickness due to repairs. RSPA has received 12 petitions for reconsideration as a result of that final rule. This action, which extends the effective date of the final rule, is necessary because RSPA finds it impracticable to take action and respond to certain issues discussed in the petitions within the 90-day period mentioned in 49 CFR 106.37(b).

The extension of the effective date of the final rule from June 1, 1989 to September 1, 1989, will allow additional time for RSPA and FRA to consider and review any technical data made available by the petitioners and to prepare an appropriate response. In the interim, parties may avail themselves of the flexibility provided by the final rule by complying with its provisions.

Issued in Washington, DC, on May 8, 1989, under authority delegated in 49 CFR Part 1.

Travis P. Dugan,

Administrator, Research and Special Programs Administration.

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#### DEPARTMENT OF TRANSPORTATION

##### Research and Special Programs Administration

##### 49 CFR Part 173

[Docket No. HM-201B; Amdt. No. 173-211]

RIN. 2137-AB39

##### Shippers; Use of Tank Car Tanks With Localized Reductions in Shell Thickness

**AGENCY:** Research and Special Programs Administration (RSPA), Department of Transportation (DOT).